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HIS MAJESTIES ANSWER,

By way of

DECLARATION

TO A

PRINTED PAPER,

ENTITULED,

A Declaration of both Houses of Parliament, in Answer to His Majesties last Message concerning the *Militia*.

Published by His Majesties Command.

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His Majesties Answer by way of Declaration, To a Printed Paper, Intituled,

A Declaration of both Houses of Parliament, in Answer to his Majestjes last Message concerning the *Militia*.

WE very well understand how much it is below the High and Royall dignity (wherein God hath placed Us) to take notice, much more to trouble Our Self with answering those many scandalous seditious Pamphlets and Printed Papers, which are scattered with such great Licence throughout the Kingdome (notwithstanding Our earnest desire, so often in vaine pressed for a Reformation) though We finde it evident; That the mindes of many of Our weak Subjects have been, and still are poysoned by those means, and that so generall a Terrour hath possessed the mindes and hearts of all men; that whiles the Presses swarm (and every day produceth new Tracts against the established Government of the Church and State) most men want the Courage or the Conscience to write or the opportunity and incouragement to publish such composed sober Animadversians, as might either preserve the minds of our good Subjects from such Infection, or restore and recover them when they are so infected: But We are contented to let Our Selfe fall to any Office that may undeceive Our People, and to take more pains this way by Our own Pen, then ever King hath done, when We find any thing that seems to carry the reputation and authority of either, or both Houses of Parliament, and will not have the same refuted or disputed by common and vulgar Pens, till We are throughly informed, whether those Acts have in truth that Countenance and Warrant they pretend. Which regard of Ours We doubt not but in time will recover that due reverence (the absence whereof We have too much reason to complain) to Our Person and Our Messages, which in all ages hath been paid (and no doubt is due) to the Crown of *England*.

We have therefore taken notice of a Printed Paper, intituled, *A Declaration of both Houſes of Parliament*, in Anſwer to Our laſt Meſſage concerning the *Militia*, publiſhed by command; The which We are unwilling to beleeve (both for the Matter of it, the Expreſſions in it, and the manner of publiſhing it) can reſult from the conſent of both Houſes; Neither doe We know by what lawfull Command ſuch uncomly, irreverent mention of Vs can be publiſhed to the World. And though Declarations of this kind have of late (with too much boldneſſe) broken in upon Vs and the whole Kingdome, when one, or both Houſes have thought fit to communicate their Counſels and Reſolutions to the People, yet We are unwilling to beleeve, that ſuch a *Declaration* as this, ſhould be publiſhed in Anſwer to Our Meſſage, without vouchſafing at leaſt to ſend it to Vs as their Anſwer; Their buſineſſe for which they are met by Our Writ and Authoritie, being to councell Vs for the good of Our People, not to write againſt Vs to Our People and no conſent of Ours for their long continuing together, inabling them to doe any thing, but what they were firſt ſummoned by Our Writ to doe. At leaſt We will beleeve, though miſunderſtanding and Iealouſie (the Juſtice of God will overtake the Fomenters of that Iealouſie, and the Promoters and contrivers of that miſunderſtanding) might produce (to ſay worſe) thoſe very untoward Expreſſions; that if thoſe Houſes had contrived that *Declaration*, as an Anſwer to Our Meſſage, they would have vouchſafed ſome Anſwer to the queſtion propoſed in Ours which We profeſſed, did and muſt evidently prevail over Our underſtanding; and in their wiſdom and gravity they would have been ſure to have ſtated the matters of Fact, as (at leaſt to ordinary underſtandings) might be unqueſtionable; Neither of which is done by that *Declaration*.

We deſire to know why We were by that Act abſolutly excluded from any Power or Authority in the Execution of the *Militia*, and We muſt apeal to all the world, whether ſuch an attempt be not a greater, and juſter ground for Feare and Iealouſie in Vs, then any one that is avowed for thoſe diſtructive Fears and Iealouſies, which are ſo publikely owned, almoſt to the ruine of the Kingdom. But We have been told that We muſt not be Iealous of Our great councell of both Houſes of Parliament. We are not, no more then they are of Vs their KING, and hitherto they have not avowed any jealouſie of, or diſaffection to Our Perſon; imputed all to Our evil Counſellors, to a Malignant party that are not of their minds:

minds: So We do (and We do it from Our ſoul) profeſſe no Iealouſie of Our Parliament, but of ſome turbulent, ſeditious, and ambitious Natures, which (being not ſo clearly diſcerned) may have an influence even vpon the Actions of both Houſes; And if this *Declaration* hath paſſed by ſuch conſent, (which We are not willing to beleeve) it is not impoſſible but that the apprehenſion of ſuch Tumults, which have driven Vs from Our City of *London* for the ſafety of Our Perſon, may make ſuch an impreſſion in other men, (not able to remove from the danger) to make them conſent, or not to own a diſſent in matters not agreeable to their conſcience or underſtanding.

We mentioned in that Our Anſwer Our diſlike of the putting of their names out of the Bill whom before they recommended to Vs in their pretended Ordinance, and the leaving out by ſpeciall Proviſion the preſent Lord Maior of *London*, to all which the *Declaration* affords no Anſwer, and therefore We cannot ſuppoſe it was intended for an Anſwer to that Our Meſſage, which whoſoever looks upon, will finde to be in no degree anſwered by that *Declaration*.

But it informs all Our Subjects, after the mention, with what humility the Ordinance was prepared and preſented to Vs, (a matter very evident in the Petitions and Meſſages concerning it) and Our refuſall to give Our conſent, notwithſtanding the ſeverall reaſons offered of the neceſſity thereof, for the ſecuring of Our Perſon, and the Peace and Safety of Our People, (whether any ſuch Reaſons wer given the weight of them, and whether they were not clearly and candidly Anſwered by Vs the world will eaſily judge) that they were at laſt neceſſiated to make an Ordinance by Authority of both Houſes, to ſettle the *Militia*, warranted thereunto by the Fundamentall Laws of the Land: But if that Declaration had indeed intended to have anſwered Vs, it would have told Our good Subjects what thoſe Fundamentall Laws of the Land are, and where to be found; And would at laſt have mentioned one Ordinance from the firſt beginning of Parliaments to this preſent Parliament, which endeavoured to impoſe any thing upon the Subject without the Kings conſent: for of ſuch all the inquiry We can make could never produce Vs one inſtance. And if there be ſuch a ſecret of the Law, which hath lain hid from the beginning of the world to this time, and now is diſcovered to take away the juſt Legall Power of the King, We wiſh there be not ſome other ſecret (to be diſcovered when they pleaſe) the ruine and deſtruction of the Liberty of the Subject, for no doubt, if the Votes of both Houſes have any ſuch Authority to make a new Law, it hath the ſame Authority to repeal

the old and then what will become of the long eſtabliſhed Rights and Liberties of the King and Subject, and particularly of *Magna Charta*, will be eaſily diſcerned by the moſt ordinary underſtandings.

It is true, We did (out of the tenderneſſe of the Conſtitution of the Kingdom, and care of the Law, which we are bound to defend; and being moſt aſſured of the unjuſtifiableneſſe of the pretended Ordinance) invite and deſire both Our Houſes of Parliament to ſettle whatſoever ſhould be fit of that nature by Act of Perliament; But were We therefore obliged to paſſe whatſoever ſhould be brought to Us of that kinde? We did ſay in Our Anſwer to the Petition of both Houſes, preſented to Us at *York* the 26. of March laſt, (and We have ſaid the ſame in other Meſſages before) that We alwaies thought it neceſſary the buſineſſe of the *Militia* ſhould be ſetled and that We never denied the thing, onely denied the Way, and We ſay the ſame ſtill, ſince the many Diſputes and Votes upon Lords Lieutenants and their Commiſſions (which were begun by Us, or Our Father) had ſo diſcountenanced that Authority, which for many yeares together was happily looked upon with Reverence and Obedience by the People: We did and do think it very neceſſary that ſome wholeſome Law be provided for that buſineſſe; uqt We declared in Our Anſwer to the pretended Ordinance We expected that the neceſſary Power ſhould be firſt Inveſted in Us, before We conſented to transfer it to other Men. Neither could it ever be imagined, that We would conſent that a greater Power ſhould be in the Hands of a Subject, then We were thought worthy to be truſted with Our Selfe; And if it ſhould not be thought fit to make a new Act, or Declaration in this point, We doubt not but We ſhall be able to grant ſuch Commiſſions, which ſhall very Legally Enable thoſe We truſt to do all Offices for the Peace and Quiet of the Kingdome if any Diſturbance ſhall happen.

But that Declaration ſaith, We were pleaſed to offer them a Bill ready drawn and that they (to expreſſe their earneſt zeale to correſpond with Our deſire) did paſſe that Bill, yet all that Expreſſion of Affection and Loyalty, all that earneſt deſire of theirs to comply with Us, produced no better effect then an abſolute denial, even of what by Our former Meſſages (as that Declaration conceives) We had promiſed; and ſo proceeds (under the pretence of mentioning evill and wicked Councels) to cenſure and reproach Us in a Dialect, that We are confident our good Subjects will reade with much

[illegible] on Our behalf. But ſure if that Declaration had paſſed the Examination of both Houſes of Parliament, they would never have affirmed that the Bill We refuſed to paſſe was the ſame We ſent to them, or have thought that our Meſſage wherein the difference and contrariety between the two Bils is ſo ſet downe, would be anſwered with the bare averring them to be one and the ſame Bill; No more would they have declared (when Our Exceptions to the *O*rdinance, and the Bill are ſo notoriouſly known to all *O*ur People) that care being taken to give ſatisfaction in all the particulars We had excepted againſt in the Ordinance, We had found new exceptions to the Bill; And yet this very Declaration confeſſes that Our exception to the Ordinance was, that in the diſpoſing and execution thereof We were excluded. And was not this an expreſſe reaſon in Our Anſwer for Our refuſall of the Bill which this Declaration will needs confute? But the power was no other then to ſuppreſſe Rebellion, Inſurrection, and forreign Invaſion, and the Perſons truſted no other then ſuch as were nominated by the great Councell of the Kingdom, and allotted to by Us; and that Declaration Asks if that be too great a Power to truſt theſe perſons with? Indeed whiles ſo great liberty is uſed in Voting and Declaring men to be Enemies to the Common-wealth (an Engliſh Phraſe We ſcarce underſtand) and in cenſuring Men for their ſervice and attendance upon Our perſon, and in Our lawfull Commands great heed muſt be taken into what Hands We commit ſuch a Power to ſuppreſſe Inſurrection and Rebellion. And if Inſurrection and Rebellion have found other definitions then what the Law hath given them, We muſt be ſure that no lawfull Power ſhall juſtifie thoſe definitions; And if there be Learning found out to make Sir *John Hothams* taking Armes againſt Us, and keeping our Towne and Fort from Us, no Treaſon or Rebellion, We know not whether a new Diſcovery may not finde it Rebellion in Us, to defend our ſelves from ſuch Arms, and to endeavour to recover what is ſo taken from Us: And therefore it concernes Us (till the known Law of the Land be allowed to be Judge between Us) to take heed into what Hands We commit ſuch Power. Beſides can it be thought that becauſe We are willing to truſt certain perſons that We are obliged to truſt them in whatſoever they are willing to be truſted? We ſay, no private hands are fit for ſuch a Truſt, neither have We departed from any thing (In the leaſt degree) We offered or promiſed before, though We might with as much reaſon have withdrawn Our Truſt from ſome Perſons

sons We before had accepted, as they did from others whom they recommended. For the Power which We are charged to have committed to particular persons, for the space of fifteene yeeres by Our Commissions of Lieutenancy, it is notoriously known, that it was not a Power created by Us, but continued very many yeers, and in the most happy times this Kingdom hath enjoyned (even those of Our renowned Predecessours queen *Elizabeth*, and Our Father of happy memory) and what ever Authority was granted by those Commissions which were kept in the old forms, the same was determinable at Our pleasure, and We know not that they produced any of those Calamities which might give Our good Subjects cause to be so weary of them, as to run the hazard of so much mischief, as that Bill We refused might possibly have produced.

For the Presidence of former ages in the Commissions of Array, We doubt not but when any such have issued out, that the Kings consent was alwayes obtained, and the Commissions determinable at His pleasure, and then what the extent of power was, will be nothing applicable to this Case of the Ordinance.

But whether that Declaration hath refuted Our Reasons for Our refusall to passe the Bill or no, it hath resolved and required all Persons in authority thereby to put the Ordinance in present execution, and all others to obey it according to the fundimentall Lawes of the Land: But We whom God hath trusted to maintaine and defend those fundamentall Lawes (which We hope He will Blesse to secure Us) do declare that there is no legall power in either or both Houses upon any pretence whatsoever, without Our consent, to command any part of the *Militia* of this Kingdom, nor hath the like ever been commanded by either or both Houses since the foundation of the Lawes of this Land; and that the execution of, or the obedience to that pretended Ordinance, is against the fundamentall Lawes of the Land, against the liberty of the Subject, and the right of Parliaments, and a high crime in any that shall henceforth execute the same. And We do therefore charge and command all Our loving Subjects, of what degree or quality soever, upon their Allegiance, and as they tender the peace of this Kingdome, from henceforth not to Muster, Leavy or Array, or summon, or warn any of Our Trained Bands, to Rise, Muster, or March by vertue or under Colour of that pretended Ordinance: And to this *Declaration* and command of Ours, We expect and require a full submission and obedience from all Our loving Subjects upon their Allegiance, as they will answer the contrary at their perils, and as they tender the upholding of the true Protestant profession, the safety of Our Person, and Our Royall Posterity, the peace and Being of this Kingdom.

FINIS.